

Message Text

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E.O. YYTWC N/A

TAGS: ENRG/IEA

SUBJECT: SLT CHAIRMAN'S NOTE ON IEA LONG TERM PROGRAM.

1. FOR USOECD: PLEASE PASS FOLLOWING TEXT OF NOTE ON IEA LONG TERM PROGRAM FROM SLT CHAIRMAN (BOSWORTH) TO GOVERNING BOARD CHAIRMAN DAVIGNON TO SECRETARIAT FOR DISTRIBUTION.

2. FOR BRUSSELS: PLEASE PASS NOTE TO DAVIGNON, EXPLAINING THAT IT BEING DISTRIBUTED BY IEA SECRETARIAT TOGETHER WITH DRAFT TEXT OF LONG-TERM PROGRAM.

3. OTHER ACTION ADDRESSEES SHOULD PASS TO APPROPRIATE HOST GOVERNMENT OFFICIALS ALSO NOTING THAT TEXT WILL BE CIRCULATED FORMALLY BY IEA SECRETARIAT.

4. BEGIN TEXT: STANDING GROUP ON LONG-TERM COOPERATION. CHAIRMAN'S NOTE ON THE PROGRAM FOR LONG-TERM COOPERATION. DEAR CHAIRMAN DAVIGNON:

1. THE DRAFT LONG-TERM COOPERATIVE PROGRAM, ELABORATED BY THE SLT, IS ATTACHED AS ANNEX I OF THIS REPORT. THIS TEXT HAS BEEN DEVELOPED WITHIN THE FRAMEWORK OF THE GOVERNING BOARD DECISION OF MARCH 20, 1975 AND THE WORKING HYPOTHESES PROVIDED IN THE GOVERNING BOARD DECISION OF JULY 1, 1975.

2. EXCEPT FOR THE THREE UNRESOLVED ISSUES OUTLINED BELOW AND SPECIFIC RESERVATIONS BY VARIOUS DELEGATIONS ON CERTAIN POINTS, THIS TEXT REFLECTS A SLT WORKING CONSENSUS. HOWEVER, IT SHOULD BE STRESSED THAT THE PROGRAM IS DESIGNED AS A SINGLE PACKAGE. THE SLT HAS WORKED WITH THE EXPLICIT UNDERSTANDING THAT FINAL AGREEMENT ON ANY ONE ELEMENT OF THE OVERALL PACKAGE IS CONTINGENT UPON AGREEMENT ON THE OVERALL PACKAGE AND THAT THE PROGRAM MUST PROVIDE AN EQUITABLE BALANCE OF COSTS AND BENEFITS AMONG THE PARTICIPATING COUNTRIES. SOME DELEGATIONS HAVE ALSO POINTED TO A RELATIONSHIP BETWEEN LIMITED OFFICIAL USE
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THE LONG-TERM PROGRAM AND THE DIALOGUE WITH OIL PRODUCING COUNTRIES.

3. MAJOR UNRESOLVED ISSUES: THREE MAJOR ISSUES ARE STILL OPEN IN THE DRAFT TEXT: (1) LEVEL OF THE MSP (CHAPTER III, D.1.) U SECRETARIAT PAPER PROVIDING THE MATERIAL REQUESTED IN THE GOVERNING BOARD DECISION OF JULY 1, AS WELL AS THE DATA PREPARED BY THE SLT'S AD HOC GROUP ON ACCELERATED DEVELOPMENT EARLIER THIS YEAR (IEA 75/48), WILL BE AVAILABLE TO THE GOVERNING BOARD.

(2) REQUIREMENTS FOR PREPOSITIONING OF NATIONALLY

SELECTED MEASURES TO MAINTAIN THE MSP (CHAPTER III. D.5):
THIS ISSUE RELATES TO WHETHER AND WHEN PARTICIPATING COUNTRIES WOULD BE REQUIRED TO DEMONSTRATE THAT THEY HAVE THE ADMINISTRATIVE AND LEGISLATIVE AUTHORITY NEEDED TO MAINTAIN THE MSP IF THE COMMITMENT IS ACTIVATED. THE DRAFT TEXT PROVIDES TWO ALTERNATIVE VERSIONS OF A PRE-POSITIONING CLAUSE; OTHER FORMULATIONS ARE POSSIBLE. IEA/SLT (75/ 72) PROVIDES A COMPILATION OF MEMBER COUNTRY RESPONSES TO A QUESTIONNAIRE CONCERNING THE EXTENT TO WHICH THEY NOW HAVE THE AUTHORITY NEEDED TO IMPOSE A MEASURE TO FULFILL AN NSP COMMITMENT.

(3) NATURE OF COMMITMENT ON NON-DISCRIMINATORY TREATMENT CCHAPTER V B). THIS ISSUE CONCERNS PRIMARILY THE DEGREE TO WHICH PARTICIPATING COUNTRIES ARE WILLING TO COMMIT THEMSELVES NOT TO ESTABLISH ANY NEW DISCRIMINATORY MEASURES OR PRACTICES VIS-A-VIS OTHER IEU COINTRIES IN THE FIELD OF ENERGY. THE TEXT PROVIDES THREE ALTERNATIVE FORMULATIONS ON THIS MATTER.

4. GENERAL REVIEW: THE FOLLOWING IS A CHAPTER-BY-CHAPTER REVIEW OF THE PROGRAM, INDICATING THOSE POINTS ON WHICH VARIOUS DELEGATIONS CONTINUE TO HAVE POINTS OF CONCERN AND/OR RESERVATIONS.

5. CHAPTER I - GENERAL PURPOSES: THE TEXT PROVIDES A STATEMENT OF THE GENERAL PURPOSES AND OBJECTIVES OF THE LONG-TERM PROGRAM, THE MAJOR ELEMENTS AND AREAS OF COOPERATION, AND THE SETTING OF MEDIUM AND LONG-TERM LIMITED OFFICIAL USE
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OBJECTIVES FOR REDUCED DEPENDENCE ON IMPORTED OIL. THE SLT HAS REACHED A GENERAL CONSENSUS ON THIS CHAPTER, ALTHOUGH A REFERENCE TO THE CONTENTS OF CHAPTER V WILL HAVE TO BE INSERTED IN PARAGRAPH 2 AFTER AGREEMENT HAS BEEN REACHED ON THE ISSUE OF NON-DISCRIMINATORY TREATMENT IN CHAPTER V B.

6. CHAPTER II - CONSERVATION: THE TEXT PROVIDES FOR SETTING ANNUAL IEA CONSERVATION OBJECTIVES AND THE ESTABLISHMENT BY JULY 1, 1975 OF CONSERVATION OBJEVTIVES FOR 1980 AND 1985. IT ALSO PROVIDES FOR CONTINUING REVIEWS WITHIN THE WGENCY OF NATIONAL PROGRAMS AND POLICIES RELATING TO CONSERVATION. THE DANISH DELEGATION HAS INDICATED IT MAY WISH TO RAISE IN THE GOVERNING BOARD THE QUESTION OF SETTING NATIONAL AS WELL AS GROUP OBJECTIVES FOR BOTH CONSERVATION AND ACCELERATED PRODUCTION OF ENERGY.

7. CHAPTER III - ACCELERATEDDEVELOPMENT OF ALTERNATIVE SOURCES OF ENERGY: THE FIRST FOUR PARAGRAPHS ESTABLISH

THE OVERALL SCOPE OF COOPERATION IN THE PRODUCTION OF ALTERNATIVE ENERGY SUPPLIES. PROVISION IS ALSO MADE FOR SETTING MEDIUM AND LONG-TERM ACCELERATED PRODUCTION OBJECTIVES FOR THE GROUP AND FOR PERIODIC REVIEWS OF THE BALANCE AND EFFECTIVENESS OF COOPERATIVE ACTIVITIES UNDER CHAPTER III.

8. A. REVIEW OF NATIONAL PROGRAMS: THE TEXT PROVIDES FOR PERIODIC REVIEW OF NATIONAL PROGRAMS AND POLICIES RELATED TO THE ACCELERATED PRODUCTION OF NEW ENERGY.

9. B. SECTORAL COOPERATION: THIS SECTION RELATES TO A NEW ELEMENT OF COOPERATION WHICH WAS NOT IN THE PREVIOUS DRAFT TEXT OF THE LONG-TERM PROGRAM. IT PROVIDES FOR A SYSTEMATIC APPROACH TO THE REMOVAL OR REDUCTION OF CONSTRAINTS ON THE PRODUCTION OF NEW ENERGY FROM INDIVIDUAL ENERGY SECTORS. AN SLT QORC PROGRAM ALONG THESE LINES

IS ALREADY UNDERWAY IN THE NUCLEAR SECTOR. SIMILAR WORK PROGRAMS WOULD BE CONSIDERED FOR COAL AND OTHER INDIVIDUAL SECTORS.

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10. C. FRAMEWORK FOR COOPERATION ON ENERGY PROJECTS: UNDER THIS FRAMEWORK, SPECIFIC MEASURES OF ASSISTANCE WILL BE PROVIDED ON A PROJECT-BY-PROJECT BASIS BY TWO OR MORE

PARTICIPATING COUNTRIES. AN AGENCY CLEARING HOUSE FOR INFORMATION WILL SUPPORT THIS EFFORT.

11. ANNEX 2 (9* 83-(75)53 CONTAINS A DESCRIPTION OF TWO ADDITIONAL TYPES OF POSSIBLE IEA COOPERATION ON INDIVIDUAL PROJECTS PROPOSED IN THE SLT BY THE DANISH AND TURKISH DELEGATIONS. THE SLT WAS NOT ABLE TO REACH A CONSENSUS ON THESE PROPOSALS BUT DID AGREE THEY SHOULD BE SUBMITTED TO THE GOVERNING BOARD.

12. ANNEXED TO THE DRAFT TEXT IS A SET OF GUIDING PRIN-

CIPLES FOR SPECIFIC COOPERATIVE PROJECTS. THESE GUIDING PRINCIPLES ARE DESIGNED TO FACILITATE THE INITIATION OF CONCRETE COOPERATIVE PROJECTS. THEY ALSO INCORPORATE AN ATTEMPT, IN RESPONSE TO THE GOVERNING BOARD'S INSTRUCTION, TO ADDRESS THE ISSUES OF ACCESS AND NON-DISCRIMINATION ON A PROJECT-BY-PROJECT BASIS AS WELL AS A GENERAL BASIS.

13. SOME DELEGATIONS RESERVED ON THE DRAFT GUIDING PRINCIPLES, NOT IN TERMS OF THEIR SUBSTANCE, BUT BECAUSE IN THEIR VIEW THERE IS A LINK BETWEEN THE NATURE OF THE COMMITMENTS ENVISIONED IN THESE GUIDING PRINCIPLES AND THE ISSUES OF CHAPTER V B. A RESERVATION BY THE TURKISH

DELEGATION RELATES TO THE NEED TO TAKE ACCOUNT OF DIFFERING LEVELS OF ECONOMIC DEVELOPMENT AMONG IEA COUNTRIES. THE CANADIAN DELEGATION CONSIDERED THAT AN ELEMENT ESSENTIAL TO THE ADOPTION AND SUCCESSFUL EXECUTION OF COOPERATIVE PROJECTS IS MISSING IN THE PREAMBLE TO PARAGRAPH TWO OF THE GUIDING PRINCIPLES. ONCE PARTIES, WHETHER PUBLIC OR PRIVATE, HAVE IDENTIFIED A POTENTIAL PROJECT AS BEING OF INTEREST TO THEM, THE HOST PARTICIPATING GOVERNMENT WILL DECIDE WHETHER THE PARTICULAR LIMITED OFFICIAL USE
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PROJECT IS IN ACCORDANCE WITH ITS JURISDICTION AND NATIONAL POLICIES. THIS DETERMINATION HAVING BEEN MADE, THE CANADIAN DELEGATION MAINTAINED THAT THE HOST GOVERNMENT AND GOVERNMENTS OF OTHER PARTICIPATING COUNTRIES CONCERNED WOULD CONSIDER THE KINDS OF SPECIFIC MEASURES, IN ANY, NECESSARY TO THE SUCCESSFUL REALIZATION OF THE PROJECT. GIVEN THE DIVERSITY OF PROJECTS WHICH MAY BE PROPOSED, THEY ARGUED THAT SUCH AN OPTIONAL APPROACH IS DESIRABLE AND INDEED ESSENTIAL TO A PRACTICABLE AND FLEXIBLE FRAMEWORK FOR COOPERATIVE PROJECTS, AS CONTRASTED TO A RESTRICTIVE APPROACH THAT WOULD BE LESS EFFECTIVE. THE SWEDISH AND NORWEGIAN DELEGATIONS WERE CONCERNED THAT THE CURRENT TEXT OF PARAGRAPH 2(E) COULD BE INTERPRETED TOO BROADLY.

14. D. GENERAL MEASURE OF COOPERATION: CHAPTER III D ESTABLISHES THE BASIC PRINCIPLES OF THE MSP SYSTEM. THE MORE DETAILED ASPECTS OF THE SYSTEM ARE COVERED IN THE MSP ANNEX, INCLUDING THOSE TECHNICAL POINTS ON WHICH FURTHER STUDY WILL BE CARRIED OUT BEFORE CONSIDERATION BY THE GOVERNING BOARD, BUT WHICH ARE NOT ESSENTIAL TO MAKING A DECISION NOW ON THE OVERALL PROGRAM.

15. SOME DELEGATIONS OF EUROPEAN COMMUNITY COUNTRIES EXPRESSED A RESERVATION AS TO WHETHER CERTAIN OF THE PROVISIONS OF CHAPTER III D AS NOW FORMULATED ARE FULLY COMPATIBLE WITH CERTAIN OF THEIR OBLIGATIONS WITHIN THE EUROPEAN COMMUNITY, AMONGST OTHERS THOSE ARISING FROM THE COMMUNITY'S PREFERENTIAL TRADING AGREEMENTS WITH NON-IEA COUNTRIES. THIS MATTER WILL HAVE TO BE EXAMINED AND DISCUSSED FURTHER IN THE GOVERNING BOARD AND WITHIN THE COMMUNITY. THE SWEDISH DELEGATION NOTED THAT IT STILL HAS A FORMAL RESERVATION CONCERNING THE EVENTUAL ACCEPTABILITY OF THE MSP.

16. INCLUSION OF OIL PRODUCTS: PARAGRAPH III D. 2 AND PARAGRAPH 4 OF THE MSP ANNEX REFLECT THE RESULTS OF THE SLT'S EXPLORATION OF THE TECHNICAL PROBLEMS AND IMPLICATIONS OF INCLUDING OIL PRODUCTS IN THE MSP SCHEME. THE GERMAN, AUSTRIANS, AND SWISS DELEGATIONS HAVE RESERVED

ON THE INCLUSION OF OIL PRODUCTS UNDER THE MSP SYSTEM.
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THE GERMAN DELEGATION HAS INDICATED THAT THE PROBLEM OF THE POSSIBLE EFFECT OF INCLUDING PETROCHEMICAL FEEDSTOCKS IN INTERNATIONAL COMPETITION IN THAT INDUSTRY AND THE RELATED PROBLEM OF DISTINGUISHING BETWEEN PRODUCTS FOR USE AS ENERGY AND THOSE FOR USE AS PETROCHEMICAL FEEDSTOCKS ARE ONE OF THE MAJOR CONCERNS EXPRESSED OVER THE INCLUSION OF PRODUCTS -- COULD BE SOLVED BY DELETING THE FIRST TWO TYPES OF PRODUCTS TO BE INCLUDED IN PARAGRAPH 4 OF THE MSP ANNEX (MOTOR GASOLINE, AVIATION GASOLINE, GASOLINE TYPE FUEL; NAPHTHA).

17. DEFINITION OF IMPORTED OIL: THE TEXT REFLECTS THE SLT'S RESPONSE TO GOVERNING BOARD'S INSTRUCTION OF JULY 1 TO ADOPT AS A WORKING HYPOTHESIS THE DEFINITION THAT "IMPORTED OIL" SHOULD BE UNDERSTOOD AS OIL IMPORTED BY INDIVIDUAL IEA COUNTRIES, SUBJECT TO POSSIBLE EXCEPTIONS. PARAGRAPH 3(A) ESTABLISHES AN EXCEPTION FOR OIL PRODUCED IN AN IEA COUNTRY AND TRADED WITHIN CUSTOMS UNIONS OR FREE TRADE AREAS OF WHICH THE IEA PRODUCING COUNTRY IS A MEMBER. ONE DELEGATION EXPRESSED CONCERN THAT THIS FORMULATION COULD IMPOSE AN OBLIGATION ON IT TO DISTINGUISH BETWEEN IEA AND NON-CEE OIL, A DISTINCTION FOR WHICH THEY DO NOT NOW HAVE ADMINISTRATIVE CAPABILITY.

18. PARAGRAPH 3(B) AND PARAGRAPH 6 OF THE MSP ANNEX ESTABLISH A PROCESS FOR GRANTING OTHER EXCEPTIONS TO THE DEFINITION OF IMPORTED OIL. THE TURKISH AND NEW ZEALAND DELEGATIONS STATED THAT PRIOR AGREEMENT ON AN EXCEPTION FOR THE OIL THEY IMPORT FROM NON-IEA COUNTRIES UNDER EXISTING AGREEMENTS WOULD BE FUNDAMENTAL TO THE FINAL DECISIONS OF THEIR GOVERNMENTS ON THE MSP.

19. THE SLT HAS ASKED THE AGENCY'S LEGAL ADVISOR FOR AN OPINION AS PART OF AN OVERALL REVIEW OF THE APPLICATION OF ARTICLE 61 OF THE IEA TO THE LONG-TERM PROGRAM, ON THE NEED TO SPECIFY A DECISION BY UNANIMITY ON EXCEPTIONS UNDER 3(B) AND PARAGRAPH 6 OF THE ANNEX (A CONCEPT ON WHICH THERE IS NO DISAGREEMENT).

20. M P MEASURES, NON-DISCRIMINATION AGAINST IEA OIL, ETCC
THIS IS A COMPLEX ISSUE WHICH, IN THE VIEW OF THE CHAIRMAN
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ARISES PRIMARILY FROM THE NEED AT THIS TIME TO CONSTRUCT AN MSP SYSTEM WHICH THE EIGHT EC MEMBER COUNTRIES COULD

ENACT NATIONALLY SHOULD IT NOT BE ADOPTED AS A COMMUNITY REGIME. THIS SITUATION, IN THE VIEW OF SOME DELEGATIONS, REQUIRES THE INCLUSION OF A CONSUMPTION TAX ON THE LIST OF MEASURES FROM WHICH IEA COUNTRIES COULD CHOOSE TO FULFILL THEIR MSP COMMITMENT. HOWEVER, IT IS DIFFICULT TO DETERMINE HOW USE OF A CONSUMPTION TAX WOULD BE COMPLETELY CONSISTENT WITH THE INTENT OF THE EXCEPTION FROM THE DEFINITION OF IMPORTED OIL AS SET OUT IN PARAGRAPH 3(A), SINCE IT WOULD SEEM IMPOSSIBLE TO DIFFERENTIATE IN THE APPLICATION OF SUCH A TAX BY MEMBERS OF A CUSTOMS UNION OR FREE TRADE AREA BETWEEN OIL PRODUCED WITHIN THAT CUSTOMS UNION OR FREE TRADE AREA AND OIL PRODUCED OUTSIDE.

21. THE PRESENT TEXT REPRESENTS AN EFFORT TO COMPROMISE BETWEEN THESE TWO SETS OF INTERESTS. SOME DELEGATIONS INDICATED THEY MIGHT WISH TO RAISE THIS MATTER IN THE GOVERNING BOARD. THE NORWEGIAN AND UK DELEGATIONS FAVORED STRONGER COMMITMENTS IN PARAGRAPH 5(B) AND/OR PARAGRAPH 6 TO OFFSET THE INCLUSION OF THE CONSUMPTION TAX ON THE LIST OF MEASURES ON PARAGRAPH 7 OF THE ANNEX. THEY ALSO BELIEVE THAT THE USE OF A CONSUMPTION TAX SHOULD BE SUBJECT TO SPECIFIC GOVERNING BOARD APPROVAL. OTHER DELEGATIONS INDICATED A PREFERENCE FOR A NON-DIFFERENTIATED LIST OF MEASURES, WITH NO QUALIFICATION ON THE USE OF A CONSUMPTION TAX AND NO REQUIREMENT FOR ADVANCE GOVERNING BOARD APPROVAL OF "OTHER MEASURES" WHICH MIGHT BE APPLIED BY NATIONAL GOVERNMENTS.

22. TRIGGERING AND FULFILLMENT OF MSP COMMITMENT: THE TEXT CREATES AN INDIVIDUALLY TRIGGERED MSP SYSTEM. WHENEVER THE AVERAGE FOB PRICE OF AN INDIVIDUAL COUNTRY'S IMPORTED OIL FALLS BELOW THE MSP LEVEL BY A SPECIFIED MARGIN FOR A SPECIFIED PERIOD OF TIME (BOTH OF THESE TO BE ESTABLISHED AFTER FURTHER TECHNICAL STUDY), THAT

COUNTRY MUST IMPOSE A MEASURE OF ITS OWN CHOICE FROM OR IN ACCORDANCE WITH PARAGRAPH 7, SUFFICIENT TO BRING ITS AVERAGE FOB PRICE BACK UP TO THE MSP LEVEL. THE ALTERNATIVE LIMITED OFFICIAL USE

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WAS EXAMINED BY THE SLT WAS A GENERALLY TRIGGERED SYSTEM. UNDER SUCH A GENERAL TRIGGER, WHENEVER THE AVERAGE FOB COST OF OIL IMPORTED BY THE GROUP FELL BELOW THE MSP LEVEL, ALL IEA COUNTRIES WOULD BE REQUIRED TO ADD AN ADDITIONAL BURDEN TO THE COST OF THEIR IMPORTED OIL EQUIVALENT TO THE DIFFERENCE BETWEEN THE MSP LEVEL AND THE AVERAGE FOB COST FOR THE GROUP AS A WHOLE.

23. SOME DELEGATIONS FAVORED
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